

ENTERED

September 12, 2022

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA

§

VS.

§

§

CRIMINAL ACTION NO. 2:22-CR-251-1

JOSE MANUEL GUTIERREZ

§

§

§

Defendant.

§

MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

A show cause hearing was held today in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f) and 18 U.S.C. § 3148. Defendant was previously granted a bond after a detention hearing was held on April 18, 2022. A petition for action on pretrial release was filed on September 12, 2022 with the Court alleging that Defendant violated condition (1) of his bond conditions, that he not commit another Federal, State, or local crime while on release. Defendant consented to proceeding on the petition at the hearing today. Defendant pled not true to the allegation. The government presented the testimony of U.S. Border Patrol Agent Guerra. The Court found the allegation to be true. The government recommended that Defendant's bond be revoked. Defense counsel requested that the bond be reinstated.

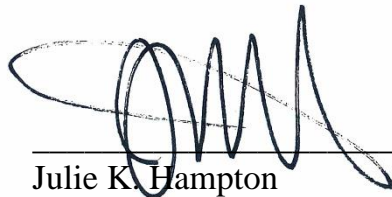
The following requires detention of the defendant pending trial in this case:

- (1) There is probable cause to believe that Defendant has committed another Federal, State, or local crime while on release;

- (2) There is clear and convincing evidence that the Defendant has violated the condition of release; and
- (3) Defendant is unlikely to abide by any condition or combination of conditions of release.

The defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED on September 12, 2022.



Julie K. Hampton
United States Magistrate Judge